



UNIVERSITY OF
TORONTO
FACULTY OF LAW



**FUNDAMENTAL THEMES IN
SECURITIES LITIGATION PRACTICE
(LAW415H1S)**

WINTER 2010

VOLUME 1

Instructors: David Hausman and Tracy Pratt

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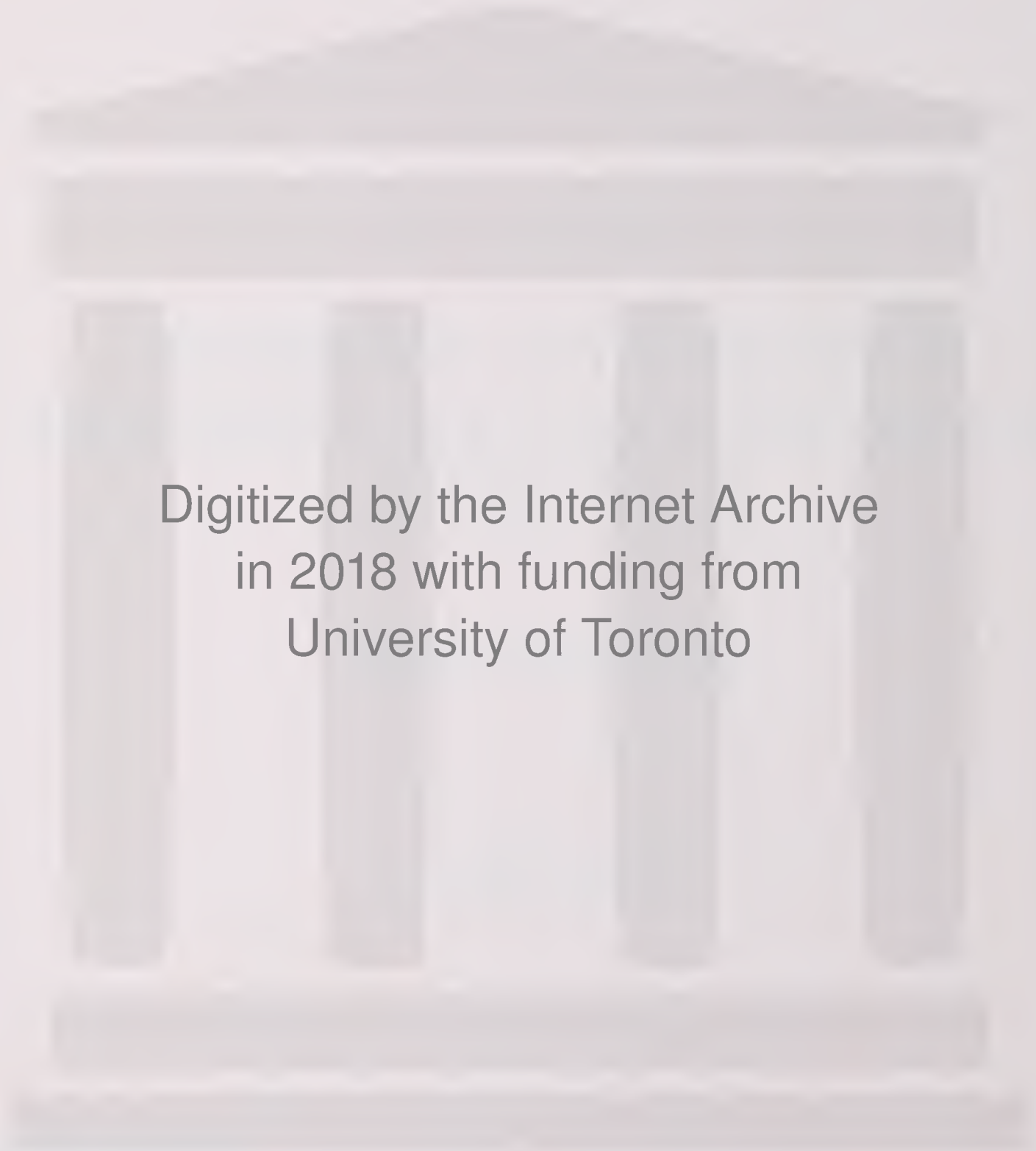
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Week One/January 7, 2010: *Sources and Issues Relating to the Public Interest Jurisdiction*

Re CTC Dealer Holdings Ltd. et al. and Ontario Securities Commission et al. (1987), 37 D.L.R. (4th) 94

Re Mithras Management Ltd. (1990), 13 OSCB 1600

Ainsley Financial Corp. v. Ontario Securities Commission (1993), 14 O.R. (3d) 280 (Div. Ct.)

Marchment & MacKay Ltd. v. Ontario (Securities Commission) (1997), 34 O.R. (3d) 284 (Div. Ct.)

Committee for the Equal Treatment of Asbestos Minority Shareholders v. Ontario (Securities Commission), [2001] S.C.J. No. 38

Re Cartaway Resources Corp., [2004] 1 S.C.R. 672

Re Financial Models Company Inc. (2005), 28 OSCB 2184

Week Two/January 14, 2010: *Formal Investigations by Canadian Securities Commissions*

Biscotti v. Ontario Securities Commission (1990), 74 O.R. (2d) 119 (Div. Ct.)

Consolidated NBS Inc. v. Price Waterhouse, [1992] O.J. No. 1345

A Co. v. Naster, [2001] O.J. No. 4997

Coughlan v. WMC International Ltd. (2000), 31 Admin L.R. (3d) 19 (Ont. Div. Ct.)

Deloitte & Touche LLP v. Ontario (Securities Commission), [2003] 2 S.C.R. 713

Re A,B,C,D,E,F,G and H (2007) Ontario Securities Commission

Shapray v. British Columbia Securities Commission, [2009] B.C.J. No. 1358 (BCCA)

Week Three/January 21, 2010: *Constitutional and Administrative Law Issues in Securities Enforcement*

Re Malartic Hygrade Gold Mines (Canada) Ltd. and Ontario Securities Commission, [1986] O.J. No. 206

R. v. Wigglesworth, [1987] 2 S.C.R. 541

Brosseau v. Alberta Securities Commission, [1989] 1 S.C.R. 301

R. v. Stinchcombe, [1991] 3 S.C.R. 326

Howe v. Institute of Chartered Accountants of Ontario (1994), 19 O.R. (3d) 483 (CA)

British Columbia Securities Commission v. Branch, [1995] 2 S.C.R. 3

Week Four/January 28, 2010: Self-Regulatory Organizations

Re Canada Malting Co. Limited (1986), 9 OSCB 3565

Re TSX Inc. (2007), 30 OSCB 8917

HudBay Minerals Inc. (Re) (2009), 32 OSCB 3733

Taub v. Investment Dealers Association of Canada, [2009] O.J. No. 3552 (C.A.)

Website Materials on Self-Regulatory Organizations: OSC description, IIROC and MFDA

Week 5/February 4, 2010: Contested Merger and Acquisition Transactions

Re Canadian Jorex Ltd. (1992), 15 OSCB 257

CW Shareholdings Inc. v. WIC Western International Communications Ltd., [1998] O.J. No. 1886

Gazit (1997) Inc. v. Centrefund Realty Corp., [2000] O.J. No. 3070

Re Sears Canada Inc. (2006), 22 B.L.R. (4th) 267

Ventas, Inc. v. Sunrise Senior Living Real Estate Investment Trust (2007), 85 O.R. (3d) 254

Week 6/February 18, 2010: Cross-Border Issues in Securities Litigation

Gregory & Co. v. Quebec (Securities Commission), [1961] S.C.R. 584

United States of America v. Verdugo-Urquidez 494 US 259 (1990)

Global Securities Corp. v. British Columbia (Securities Commission), [2000] 1 S.C.R. 494

A. v. Ontario Securities Commission, [2006] O.J. No 1768 (OCJ)

Week Seven/February 25, 2010: Issues and Topics in the law of Corporate Governance

In re, City Equitable Fire Insurance Co., [1925] Ch. 407 (C.A.)

Revlon v. MacAndrews & Forbes Holdings, Inc. 506 A.2d 173 (Del. 1986)

Soper v. Canada, [1998] 1 F.C. 124 (Fed. CA)

Re Banks (2003), 26 OSCB 3377

Kerr v. Danier Leather Inc. [2007] 3 S.C.R. 331

BCE Inc. v. 1976 Debentureholders, [2008] 3 S.C.R.

Week 8/March 4, 2010: *Secondary Market Liability*

Basic, Inc. v. Levinson, 485 U.S. 224 (1988)

Allen Committee Final Report (extracts)

Five Year Review Committee Final Report – Reviewing the Securities Act (Ontario) (March 21, 2003)

Ainslie v. CV Technologies Inc., [2008] O.J. No. 4891

Ontario Securities Act – Civil Liability for Secondary Market Disclosure Provisions

Week 9/March 11, 2010: *Oppression Proceedings and Derivative Actions in the Public Company Setting*

Canadian Javelin Ltd. v. Boon-Strachan Coal Co. (1976), 69 D.L.R. (3d) 439 (Q.B. S.C.)

Rogers Communications Inc. v. MacLean Hunter Ltd., [1994] O.J. No. 408 (OCJ)

Pente Investment Management Ltd. v. Schneider Corp., [1998] O.J. No. 4142

Peoples Department Stores Inc. (Trustee of) v. Wise, [2004] 3 S.C.R. 461

Ford Motor Co. of Canada v. Ontario Municipal Employees Retirement Board (2006), 79 O.R. (3d) 81 (CA)

Week 10/March 18, 2010: *Broker-Customer Litigation*

Laflamme v. Prudential-Bache Commodities Canada Ltd., [2000] S.C.J. No. 25

Zraik v. Levesque Securities Inc., [2001] O.J. No. 5083 (CA)

Blackburn v. Midland Walwyn Capital Inc., [2005] O.J. No. 678 (CA)

Week 11/March 25, 2010: *Insider Trading and Tipping*

Re ATI Technologies Inc. (2005), 28 OSCB 8558

R. v. Rankin, [2006] O.J. No. 4579 (Sup.Ct.)

Re Rowan (2008), 31 OSCB 6515

Week 12 and Week 13/April 1 and 8, 2010: *Mock Hearing*

